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6 *Attorneys for Bank of America, N.A., and*  
7 *Federal Home Loan Mortgage Corp.*

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 JON SIMON, an individual,  
11 Plaintiff,

12 v.

13 BANK OF AMERICA, N.A.; FEDERAL HOME  
LOAN MORTGAGE CORP.; MERSCORP,  
14 INC., a Virginia corporation; MORTGAGE  
ELECTRONIC SYSTEMS, INC., a subsidiary of  
15 MERSCORP, INC., a Delaware corporation; and  
DOES I INDIVIDUALS 1 to 100, inclusive; and  
16 ROES CORPORATIONS 1 to 100, inclusive; and  
all other persons and entities unknown claiming  
17 any right, title, estate, lien or interest in the real  
property described in the Complaint adverse to  
18 Plaintiff's ownership, or any cloud upon Plaintiff's  
title thereto,

19 Defendants.  
20

CASE NO.: 2:10-cv-300-GMN-LRL

**ORDER CANCELING LIS PENDENS**

21 This Court granted Defendants Bank of America, N.A. and Federal Home Loan Mortgage  
22 Corporation's ("Defendants") Motion to Dismiss on June 23, 2010 [Dkt. No. 30].

23 Defendants further request that the lis pendens currently recorded against the subject property  
24 by Plaintiff Jon J. Simon ("Plaintiff") be canceled.

25 The Court finds that Plaintiff recorded a Notice of Lis Pendens Affecting Real Property ("Lis  
26 Pendens") on or about February 5, 2010, in Book No. 20100205 as Instrument No. 0002315 in the  
27 real property records maintained by the Clark County Recorder. A copy of the Lis Pendens is  
28 attached hereto and fully incorporated by reference.

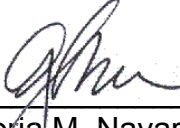
1 UPON CONSIDERATION of Defendants' request to cancel the Lis Pendens, and good cause  
2 appearing therefore, the Court hereby grants Defendants their requested relief and rules as follows:

3 1. IT IS ORDERED, ADJUDGED, and DECREED that the Lis Pendens is hereby  
4 cancelled, released, and expunged.

5 2. IT IS FURTHER ORDERED, ADJUDGED and DECREED that this order canceling  
6 the Lis Pendens has the same effect as an expungement of the original Lis Pendens.

7 3. IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendants record a  
8 properly certified copy of this cancellation order in the real property records of Clark County, Nevada  
9 within a reasonable amount of time from the date of this order's issue.

10 DATED this 9th day of August, 2010.

11   
12 \_\_\_\_\_  
13 Gloria M. Navarro  
14 United States District Judge

15 Submitted by:

16 **AKERMAN SENTERFITT LLP**

17 /s/ Ariel E. Stern  
18 ARIEL E. STERN  
19 Nevada Bar No. 8276  
20 JACOB D. BUNDICK  
21 Nevada Bar No. 9772  
22 400 South Fourth Street, Suite 450  
23 Las Vegas, Nevada 89101

24 *Attorneys for Defendants Bank of America, N.A., and*  
25 *Federal Home Loan Mortgage Corp.*  
26  
27  
28

Inst #: 201002050002315

Fees: \$17.00

N/C Fee: \$0.00

02/05/2010 01:10:18 PM

Receipt #: 222146

Requestor:

JUNES LEGAL SERVICES

Recorded By: KXC Pgs: 4

DEBBIE CONWAY

CLARK COUNTY RECORDER

APN# 177-12-418-081

11-digit Assessor's Parcel Number may be obtained at:  
<http://redrock.co.clark.nv.us/assrealprop/owner.aspx>

Notice of Lis PendensAffecting Real Property**Type of Document**

(Example: Declaration of Homestead, Quit Claim Deed, etc.)

**Recording Requested By:**Jon J. Simon**Return Documents To:**Name Jon J. SimonAddress 2490 Begonia ValleyCity/State/Zip Henderson, NV 89074

This page added to provide additional information required by NRS 111.312 Section 1-2

(An additional recording fee of \$1.00 will apply)

This cover page must be typed or printed clearly in black ink only.

1 **RECORDING REQUESTED BY: Plaintiff: Jon J. Simon**

**FILED**

2 **AND WHEN RECORDED MAIL TO:**

3 **LISP**

4 Jon J. Simon (*Plaintiff: in pro se*)  
5 2490 Begonia Valley  
6 Henderson, NV 89074  
(702) 418-6454  
Jonjsimon@aol.com

JAN 29 5 34 PM '10

*Ann L. Simon*  
CLERK OF THE COURT

7 **SPACE ABOVE THIS LINE FOR RECORDER'S USE**

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 **Jon J. Simon an individual,**

11 **Plaintiff(s)**

12 **vs.**

13 **BANK OF AMERICA, N. A.; FEDERAL**  
14 **HOME LOAN MORTGAGE CORP.;**  
15 **MERSCORP, INC., a Virginia Corporation,**  
16 **MORTGAGE ELECTRONIC SYSTEMS,**  
17 **INC. a subsidiary of MERSCORP, Inc., a**  
18 **Delaware corporation; AND DOES I**  
19 **individuals 1 to 100, Inclusive; and ROES**  
20 **Corporations 1 to 30, Inclusive; and all other**  
21 **persons and entities unknown claiming any**  
22 **right, title, estate, lien or interest in the real**  
23 **property described in the Complaint adverse to**  
24 **Plaintiff's ownership, or any cloud upon**  
25 **Plaintiff's title thereto,**

26 **Defendants.**

11 **CASE NO.:** *A-10-609299-C*

12 **DEPARTMENT:** *✓*

13 **NOTICE OF LIS PENDENS**

14 **AFFECTING REAL PROPERTY**

15 **NOTICE: THIS LIS PENDENS IS EFFECTIVE UPON**  
16 **SERVICE OF THE PARTY REQUESTING SAME**  
17 **WHEN ISSUED AND AGAINST THE OTHER PARTY**  
18 **WHEN SERVED, AND SHALL REMAIN IN EFFECT**  
19 **FROM THE TIME OF ITS ISSUANCE UNTIL TRIAL**  
20 **OR UNTIL DISSOLVED OR MODIFIED BY THE**  
21 **COURT. DISOBEDIENCE OF THIS LIS PENDENS IS**  
22 **PUNISHABLE BY CONTEMPT.**

**TO: ALL INTERESTED PARTIES**

NOTICE IS HEREBY GIVEN pursuant to NRS Chapter 14, NRS 125.220, and NRS Chapter 608, that there is currently pending in the Judicial District Court.

The action which affects the Title to a specific parcel of real property and the right to lawful possession of the same, the property location is:

2490 Begonia Valley Henderson, NV 89074

And of which the legal description is as follows:

APN# 177-12-418-081

Windmill-Eastern, Plat book 120, Page 76, Lot 81, Block 8 and by Certificate of record on 7/1/2005 in Book 20050701 as Inst. No. 05283 all in the office of the County Recorder for Clark County, NEVADA.

and which is identified in the complaint of this action.

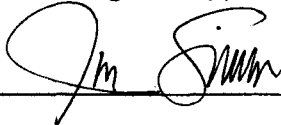
The property affected by the action is located in the County of Clark, Nevada. The natures of the claims are:

1. Violations of Unfair Lending Practices-NRS 598(D)
2. Deceptive Trade Practices
3. Wrongful Foreclosure
4. Conspiracy To Commit Fraud and Conversion
5. Conspiracy To Commit Fraud Related to MERS System
6. Inspection And Accounting
7. Negligent Infliction of Emotional Distress
8. Quiet Title
9. Breach Of Good Faith And Fair Dealing
10. Injunctive Relief
11. Declaratory Relief
12. Rescission

NOTICE IS FURTHER GIVEN that YOU ARE HEREBY PROHIBITED AND RESTRAINED FROM; transferring, encumbering, selling or otherwise disposing of any portion of said real property without the written permission of the court.

DATED this 29th day of JANUARY, 2010.

Plaintiff Signature(s):



Jon J. Simon [Plaintiff: in pro se]  
2490 Begonia Valley  
Henderson, NV 89074  
(702) 418-6454  
Jonjsimon@aol.com

CERTIFIED COPY  
DOCUMENT ATTACHED IS A  
TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE

  
CLERK OF THE COURT

JAN 29 2010

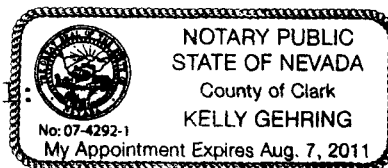
**ACKNOWLEDGEMENT**

Subscribed and sworn to before me this 29<sup>th</sup> day of Jan 2010.

Signed:



Seal:



NOTARY PUBLIC in and for the County of Clark, State of Nevada.